

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,741,118 B1
APPLICATION NO. : 08/434105
DATED : June 22, 2010
INVENTOR(S) : David A. Fischhoff et al.

Page 1 of 3

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Delete the title page and substitute therefore the attached title page showing the corrected number of claims in patent

In the Claims:

At Column 108, line 46, add

-- 104. The method of claim 103, wherein the structural gene of step (c) is devoid or substantially devoid of polyadenylation signal sequences listed in Table II, or is devoid or substantially devoid of ATTTA sequences.

105. The method of claim 103, wherein the structural gene of step (c) is devoid or substantially devoid of polyadenylation signal sequences listed in Table II, and is devoid or substantially devoid of ATTTA sequences.

106. The method according to claim 103, wherein the structural gene made according to the method is more highly expressed in a dicot plant cell than a structural gene that comprises the starting coding sequence(s) of step (a).

107. The method according to claim 103, wherein the starting coding sequence of step (a) is derived from a *B.t.* crystal protein gene.

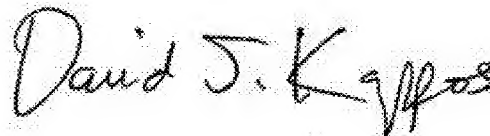
108. The method according to claim 103, further comprising reducing the number of regions in said portion with greater than five consecutive adenine and thymine (A+T) nucleotides by substituting sense codons for codons in the portion.

109. The method according to claim 103, further comprising attaching a plant promoter to the structural gene.

110. The method according to claim 103, further comprising including in the structural gene a sequence that encodes an amino-terminal chloroplast transit peptide.

This certificate supersedes the Certificate of Correction issued July 5, 2011.

Signed and Sealed this
Sixteenth Day of August, 2011

A handwritten signature in black ink that reads "David J. Kappos". The signature is written in a cursive, flowing style with a large initial "D".

David J. Kappos
Director of the United States Patent and Trademark Office

111. The method according to claim 103, further comprising attaching to the structural gene a 3' non-translated nucleotide sequence that comprises a plant polyadenylation signal.

112. The method according to claim 103, further comprising including in the structural gene a sequence that encodes a secretory signal sequence.

113. The method according to claim 103, further comprising making a DNA construct that comprises the structural gene and at least one sequence selected from the group consisting of a plant promoter or a plant virus promoter. --.

(12) **United States Patent**
Fischhoff et al.

(10) **Patent No.:** **US 7,741,118 B1**
(45) **Date of Patent:** **Jun. 22, 2010**

(54) **SYNTHETIC PLANT GENES AND METHOD FOR PREPARATION**

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(75) Inventors: **David A. Fischhoff**, Webster Groves, MO (US); **Frederick J. Perlak**, St. Louis, MO (US)
(73) Assignee: **Monsanto Technology LLC**, St. Louis, MO (US)
(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

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(21) Appl. No.: **08/434,105**

(22) Filed: **May 3, 1995**

Related U.S. Application Data

(60) Division of application No. 07/959,506, filed on Oct. 9, 1992, now Pat. No. 5,500,365, which is a continuation of application No. 07/476,661, filed on Feb. 12, 1990, now abandoned, which is a continuation-in-part of application No. 07/315,355, filed on Feb. 24, 1989, now abandoned.

(51) **Int. Cl.**
C12N 15/09 (2006.01)

(52) **U.S. Cl.** **435/440**

(58) **Field of Classification Search** None
See application file for complete search history.

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(Continued)

Primary Examiner—Anne Marie Grunberg
(74) Attorney, Agent, or Firm—Marshall, Gerstein & Borum LLP

(57) **ABSTRACT**

A method for modifying structural gene sequences to enhance the expression of the protein product is disclosed. Also disclosed are novel structural genes which encode insecticidal proteins of B.t.k. HD-1, B.t.k. HD-73, *B.t. tenebrionis*, *B.t. entomocidus*, 2 protein of B.t.k. HD-1, and the coat protein of potato leaf roll virus.

113 Claims, 46 Drawing Sheets